

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
SAN FRANCISCO BRANCH OFFICE

ECCLES PAINTING, INC.,

and

Cases 19-CA-69324
19-CA-72568

PAINTERS DISTRICT COUNCIL 5,
Affiliated with INTERNATIONAL UNION
OF PAINTERS AND ALLIED TRADES

ERRATA

**(ORDER GRANTING MOTION TO MODIFY THE ORDER TO CONFORM TO 9/25/12
DECISION)**

On September 25, 2012, I issued my decision in the case referenced above (the 9/25/12 Decision).

On October 19, 2012, the Acting General Counsel filed a motion to modify the Order portion of the 9/25/12 Decision to conform to the 9/25/12 Decision (the Motion) arguing the following:

1. Insert the following bolded language in the sentence of paragraph 2(e) of the Order: Within 14 days from the date of this Order, post at its jobsites in the Puget Sound area in all locations where employee notices are customarily posted copies of the attached notice marked “Appendix” **in English and Spanish**
2. Add the following as a new paragraph 2(f):
Within 14 days from the date of this Order, Respondent, by its president Arthur Eccles, will read a copy of the Notice to its employees at all job sites in the Puget Sound area.
3. Renumber the existing paragraph 2(f) of the Order to 2(g) to accommodate the above inclusion.

On October 19, 2012, I issued a Corrected Order to Show Cause (OSC) asking that any responses to the Motion be filed no later than noon on Friday, October 26, 2012.

After the above-mentioned deadline to file a response, the Respondent filed a request for a two-week extension of time to file a response to the OSC. The request acknowledges receipt of the OSC on October 19th and argues that the Respondent has “not been able to interpret what it’s

[the OSC is] requesting as we [the Respondent] have barely had time to go through our emails once a week at best.”

I find that the Motion requests non-substantive errata to simply have my Order in the 9/25/12 Decision conform to my findings of fact, conclusions of law, and remedy. I reject the Respondent’s late-filed request for an extension of time to respond to the OSC on grounds that the request is untimely. I further find that good cause exists to grant the Motion and I order modification of my 9/25/12 Decision consistent with the terms contained in the Motion as referenced above.

Dated: October 31, 2012

Gerald M. Etchingham
Administrative Law Judge